

900200.00001/6545924v.1

British Virgin Islands, and with no place of business in the United States.
entity organized with its offices at Trident Chambers, Wickhams Cay, Road Town, Tortola,

3. At all material times, Defendant was and is a foreign corporation or other business

at 11 Kyriakou Matsi Avenue, Nikis Center, 1082 Nicosia Cyprus.

2. At all material times, Plaintiff was and now is a foreign company with its offices

Rules of Civil Procedure. The Court has admiralty jurisdiction under 28 U.S.C. §1333.

appears, and is an admiralty or maritime claim within the meaning of Rule 9(h) of the Federal

1. This is a case of admiralty and maritime jurisdiction, as hereinafter more fully

EXPORTS S.A. ("Defendant"), alleges upon information and belief as follows:

attorneys Blank Rome, LLP, complaining of the above-named Defendant, COSMOTRADE

Plaintiff, DOUBLE HAPPINESS SHIPPING COMPANY LIMITED ("Plaintiff"), by its

VERIFIED COMPLAINT

07 Civ.

DOUBLE HAPPINESS SHIPPING
COMPANY LIMITED,
Plaintiff,
-against-
COSMOTRADE EXPORTS S.A.,
Defendant.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Attorneys for Plaintiff
DOUBLE HAPPINESS SHIPPING COMPANY LIMITED
Thomas H. Belknap, Jr. (TB-3188)
The Chrysler Building
405 Lexington Ave.
New York, NY 10174-0208
(212) 885-5000

JUDGE SWAIN

07 CV

4615

MAY 31 2007

- garnishees in this District, including but not limited to electronic fund transfers.
- assets within this district consisting of cash, funds, freight and/or hire credits in the hands of Procedure, but Defendant is believed to have or will have during the pendency of this action, the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil
10. Defendant cannot be found within this district within the meaning of Rule B of issuance of Process of Maritime Attachment and Garnishment is US\$253,295.
9. Accordingly, the total amount of Plaintiff's claims for which Plaintiff requests against Defendant. Defendant has refused to provide security for the balance of Plaintiff's claim.
8. Currently, Plaintiff is holding \$148,000 in "escrow" as security for its claim US\$100,000.
- costs to a successful party. Plaintiff estimates these recoverable costs and interest will be at least
7. Maritime Arbitrators in London routinely award interest, legal fees and arbitral right to arbitrate the disputes pursuant to 9 U.S.C. § 8.
6. The Charter provides for arbitration of disputes in London. Plaintiff reserves it although duly demanded.
- hire as and when it became due in the amount of \$301,295, no part of which has been paid
5. In breach of the Charter, defendant has to date wrongfully failed to pay charter chartered the ocean-going cargo vessel M/V ALEXIA M ("the Vessel") to Defendant.
4. By a charter party dated on or about April 12, 2007, ("the Charter"), Plaintiff

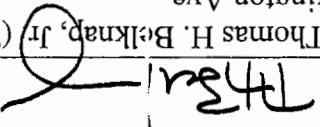
WHEREFORE, Plaintiff prays:

- A. That process in due form of law issue against the Defendant, citing it to appear and answer under oath all and singular the matters alleged in the Complaint;
- B. That since the Defendant cannot be found within this District pursuant to Rule B of the Supplemental Rules for Admiralty or Maritime Claims, attaching all of Defendant's tangible or intangible property or any other funds held by any garnishee in the district which are due and owing or otherwise the property of to the Defendant up to the amount of US\$253,295 to secure the Plaintiff's claims, and that all persons claiming any interest in the same be cited to appear and pursuant to Supplemental Admiralty Rule B answer the matters alleged in the Complaint;
- C. That this Court enter judgment for Plaintiff's damages plus interest and costs, or retain jurisdiction over this matter through the entry of a judgment on an arbitration award.
- D. That Plaintiff may have such other, further and different relief as may be just and proper.

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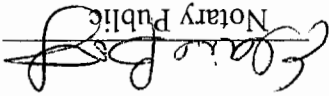
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Respectfully submitted,
BLANK ROME, LLP
Attorneys for Plaintiff
DOUBLE HAPPINESS SHIPPING COMPANY
LIMITED

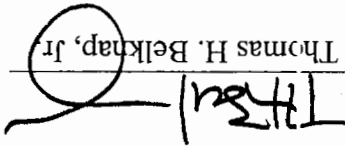
By 
Thomas H. Belknap, Jr. (TB-3188)
405 Lexington Ave.
New York, NY 10174-0208
(212) 885-5000

Dated: New York, NY
May 31, 2007

ELAINE BONOWITZ
Notary Public, State of New York
No. 43-4893320
Qualified in Richmond County
Certificate Filed in New York County
Commission Expires May 11, 2011


Notary Public

Sworn to before me this
31st day of May 2007


Thomas H. Belknap, Jr.

statements made to me by representatives of the Plaintiff.

4. The sources of my information and belief are documents provided to me and

Plaintiff is a foreign corporation, no officer or director of which is within this jurisdiction.

3. The reason this Verification is made by deponent and not by Plaintiff is that

2. I have read the foregoing Complaint and I believe the contents thereof are true.

LLP, attorneys for the Plaintiff.

1. I am a member of the bar of this Honorable Court and of the firm of Blank Rome

Thomas H. Belknap, Jr., being duly sworn, deposes and says:

STATE OF NEW YORK)
: ss.:)
COUNTY OF NEW YORK)

VERIFICATION

corporation with no office or place of business within this judicial district.

2. Defendant is a party to a maritime contract of charter party and is a foreign

Claims of the Federal Rules of Civil Procedure.

corporation, pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime
maritime attachment and garnishment of the property of defendant, ("Defendant"), a foreign
complaint and submit this affidavit in support of Plaintiff's request for the issuance of process of
Blank Rome, LLP, attorneys for the Plaintiff herein. I am familiar with the circumstances of the
I am a member of the Bar of this Honorable Court and a member of the firm of

THOMAS H. BELKNAP, JR., being duly sworn, deposes and says:

STATE OF NEW YORK)
COUNTY OF NEW YORK)
ss:)

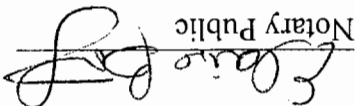
07 Civ. **AFFIDAVIT UNDER
SUPPLEMENTAL RULE B**


DOUBLE HAPPINESS SHIPPING
COMPANY LIMITED,
Plaintiff,
-against-
COSMOTRADE EXPORTS S.A.,
Defendant.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Sworn to before me this
31st day May, 2007

Notary Public


THOMAS H. BELKNAP, JR.

- within this district.
- district or the state of New York. In the circumstances, I believe Defendant cannot be found
4. In our search, we did not find any listing or reference to Defendant in this judicial internet search.
3. Under my supervision, my office did a search of the New York State Secretary of State, Division of Corporations, the Transportation Tickler, telephone assistance, and a general